

Commonly used ICGS terms

The aim of this guide is to ensure the ICGS is accessible to everyone. We have created this aid to provide an explanation for words and terms we frequently use. These are not legal definitions.

For more information or guidance, contact the ICGS Helpline or the ICGS team.

Aggravating factors

An aggravating factor is a behaviour that increases the severity of an action.

Alison Stanley 6-month and 18-month review

To assess the work of the ICGS, two reviews of the Scheme were carried out by an independent reviewer Alison Stanley CBE FCIPD, in 2019 and in 2021.

Allegations

The wording of the complaint that you have made will be put into allegations by the investigator

and you will be asked to sign that the wording is correct if your complaint goes to a formal assessment.

Appeal

This is the process where people who have complained and people who have been complained about can request a formal change to an official decision following the completion of an ICGS Investigation, only if the Decision-Making Body for the respondent has an appeals policy and procedure.

The only rights of appeal are in cases involving MPs where decisions made by the PCS can be appealed to the IEP and in cases involving Members of the House of Lords in which an appeal can be put to the Conduct Committee.

There are no appeals in cases where the respondent is employed by the House of Commons, PDS, or the House of Lords. Not all decisions may be appealed. An appeal should not be confused with a review which examines the application of the process rather than the outcome of the case (see section on 'Review' further down)

Balance of Probabilities

The balance of probability standard is applied when an investigator is satisfied that, based on the evidence available, the occurrence of the event was more likely to have happened than not and that the alleged behaviours displayed constitute bullying or harassment or sexual misconduct.

Behaviour Code

The [Behaviour Code](#) makes clear the standards of behaviour expected of everyone, past or present, in the parliamentary community.

Bullying

Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour involving an abuse or misuse of power that can make a person feel vulnerable, upset, undermined, humiliated, denigrated or threatened. Power does not always mean being in a position of authority and can include both personal strength and the power to coerce through fear or intimidation.

A full definition of bullying is available by speaking to the ICGS Helpline or in the [ICGS Bullying and Harassment policy](#).

Code of Conduct (Commons)

The [Code of Conduct for Members](#) sets out the standards of behaviour expected of Members of Parliament (MPs) as they carry out their work.

Code of Conduct (Lords)

The [Code of Conduct](#) provides members of the House of Lords with guidance on the standards of conduct expected of them in performing their parliamentary duties.

Complaint

After speaking to the ICGS Helpline (or the Lords Commissioners), members of the Parliamentary community can choose to make a formal complaint about behaviour they have experienced so that it might be investigated independently. A complaint begins only when the details of the behaviour are made in writing, with support from the ICGS Helpline, using a standardised template called the disclosure form.

Complainant

This is an individual who reports or makes a complaint of bullying, harassment or sexual misconduct.

Collective Complaint

If there is more than one complaint about the same person, with agreement from all those making the complaints, the complaints can be assessed together usually by one investigator.

Decision-making bodies (DMB)

This is the person or body responsible for deciding what action to take if a complaint is upheld. So, for example, if the respondent is employed by either House, the DMB would normally be the Commons or Lords HR department. If the respondent is an MP, the DMB will be the Parliamentary Commissioner for Standards or (potentially) the Independent Expert Panel. To find out who the relevant decision-making body is, contact the ICGS Helpline.

Disclosure form

If you decide to make a formal complaint, the Helpline (or in some cases, the Lords Commissioners) will record the details of the complaint in the disclosure form. The form will be used by the ICGS team to allocate an external independent investigator. The Lords Commissioners will use the form themselves and will allocate an external independent investigator to help them with the investigation.

Individual Assistance Programme (IAP)

A confidential support service for employees of both Houses and PDS, as well as Members of both Houses and Members' staff. The service may be able to help you with health and wellbeing information and stress at work. It can also be used by former members of the parliamentary community involved in ICGS cases.

Equality Act 2010

The Equality Act 2010 protects people from discrimination in the workplace and in certain other contexts (for example in the provision of goods and services). It prohibits discrimination based on nine "protected characteristics" which are –

- Age
- Disability
- Gender reassignment
- Marriage or civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

The Act protects people from direct and indirect discrimination, as well as from harassment and victimisation.

Evidence

Any information which can be used by the independent investigator to determine whether a complaint should go to a full/formal assessment and, at a later stage, to determine whether the complaint is upheld. Evidence comes in many forms, it may be written or taken from any meetings with both parties and witnesses, as well as other relevant documentation including e-mails, social media posts and other correspondence.

Factual Accuracy Check

A step during an investigation of a complaint, when complainants and respondents can review the draft report produced by an independent

investigator. Both parties can use this opportunity to ensure that facts and dates are correct and to request corrections, to raise concerns if relevant evidence has not been considered or relevant witnesses not interviewed, or to raise other concerns about the process of the investigation. The investigator then decides what (if any) changes should be made to the draft report.

Full Assessment

A step during an investigation of a complaint where the investigator will gather detailed evidence from the complainant, the respondent and any witnesses, as well as other relevant evidence. This will usually involve holding meetings with those involved, as well as requesting written evidence. The independent investigator will then produce a draft report, which will be sent to both parties for a factual accuracy check. Once this is completed, the investigator will produce a final report and will send this to the complainant and the decision-making body for the respondent. This step may be different for cases involving the Parliamentary Commissioner for Standards or the Lords Commissioners for Standards.

Harassment

Harassment is any unwanted conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A full definition of harassment is available by speaking to the ICGS Helpline or in the [ICGS Bullying and Harassment Policy](#).

House of Lords Conduct Committee

The Committee reviews and oversees the Codes of Conduct for Members of the House of Lords and Members' staff, and the work of the Lords Commissioners for Standards. The Committee considers appeals in cases under the Codes, following a finding of the Commissioners for Standards.

ICGS Helpline

In most cases, this is the first step if you are experiencing bullying, harassment or sexual misconduct and want advice/support. You can also

phone the helpline to get advice for someone else or are looking for more information.

You can contact the Helpline by phone or e-mail. When you contact the helpline, an expert advisor can support you by talking through your experiences. They can then guide you through options for dealing with the behaviour, including making a formal complaint. These conversations are completely confidential. The ICGS Helpline is run by an independent charity, Victim Support.

ICGS Hub

An online SharePoint site featuring the information and guidance you need to understand how the ICGS works and what support is available to you.

ICGS Stakeholder Forum

Meeting monthly to discuss latest developments, and to provide guidance and challenge to the ICGS team, the ICGS Stakeholder Forum is made up of representatives from across the parliamentary community, including Decision-Making Bodies, Trade Unions and House staff with responsibility for ICGS-related work.

ICGS Team

The bicameral team responsible for the ICGS, liaising with investigators, complainants, and respondents, and implementing improvements to the Scheme.

Independent Expert Panel (IEP) House of Commons

In cases involving an MP, or former MP, as the respondent the Independent Expert Panel hears appeals by the complainant or respondent against decisions made by the Parliamentary Commissioner for Standards, and determines sanctions in cases referred to the Panel by the Commissioner.

Independent Investigator

If you decide to make a formal complaint, it will be allocated to an independent investigator (unless your complaint is being handled by the Lords Commissioners). Independent investigators are responsible for undertaking key stages in the investigation of a complaint, including initial

assessment, formal assessment, and factual accuracy checks. For cases where the respondent is a Member in the House of Lords, the Lords Commissioner will investigate the case, with the help of one of these independent investigators.

Independent Sexual Misconduct Advisor (ISMA)

We offer additional support to anyone who reports experiences of sexual misconduct in Parliament. When contacting the helpline, those complainants can be connected with an ISMA, who is a trained Independent Sexual Misconduct Adviser and can guide them throughout the process.

Informal Resolution

Many cases can be resolved through informal, alternative resolution, without the need for a formal investigation. Informal resolution can include facilitated conversations, brokered written communications between both parties, or conversations supported by an appropriate third party. The outcomes of informal resolution are often the same as the outcomes of a formal investigation and can include an apology from the respondent, an agreed behaviour contract for working together, training and mediation.

Initial Assessment

Before a complaint goes to a formal investigation, the independent investigator needs to check whether your complaint meets the conditions for it to progress to a full investigation. During the initial assessment, they will establish whether the complaint meets certain criteria, including whether it is eligible under the bullying and harassment or sexual misconduct policy or if it has been already investigated elsewhere. Their decision will be sent to the complainant in writing. They will also identify any witnesses the complainant is hoping to involve and what a satisfactory outcome would be for them (including informal resolution).

Lords Commissioners for Standards

The House of Lords Commissioners for Standards are responsible for the independent and impartial investigation of alleged breaches of the House of Lords Codes of Conduct for Members of the Lords and Members' staff.

Mitigating factors

Mitigating factors are any circumstances which may reduce a respondent's blameworthiness for a finding of misconduct in an ICGS case. For example, an independent investigator may find that a respondent's actions were attributable (wholly or in part) to mental health factors or a medical condition. This could result in the DMB imposing a lesser sanction.

Parliamentary Commissioner for Standards (PCS) (Commons)

The PCS has oversight of investigations conducted in an ICGS case where an MP or former MP is the respondent. The Commissioner is also the primary Decision-Making Body for investigations conducted under the scheme, although it is the IEP which imposes sanctions in more serious cases.

Parliamentary Community

The Parliamentary Community means people who work for or with Parliament, in particular staff of the House of Commons and House of Lords, Parliamentary Digital Service staff, Members of both Houses, their staff, and certain contractors. "Staff" includes self-employed individuals as well as employees, and interns and other paid or unpaid staff.

Pathway 2

If you are experiencing sexual misconduct you may choose to resolve the matter through informal resolution at any point after contacting the ICGS Helpline. Informal resolution of sexual misconduct cases is referred to as Pathway 2 in the Sexual Misconduct Policies and Procedures.

Policies

There are two policies that support complainants and respondents—the [Bullying and Harassment Policy](#) and the [Sexual Misconduct Policy](#). Both documents set out who the ICGS applies to, the types of behaviour covered.

Procedures

There are two procedures that support complainants and respondents—the Bullying and Harassment Procedure and the Sexual Misconduct Procedure. Both documents outline how complaints are dealt with in the ICGS.

Respondent

This is an individual who is accused of bullying, harassment or sexual misconduct.

Sanctions

If a complaint is upheld, the formal assessment report will be sent to the Decision-Making Body who may impose sanctions. For employees of the two Houses, the types of sanction applied can include a letter or apology, a requirement to complete training, formal warning, or dismissal. For Members of either House, sanctions can include an apology to the House, a requirement to complete training, or suspension or expulsion from either House.

Sexual Misconduct

Sexual misconduct describes a range of behaviours including sexual assault, sexual harassment, stalking, voyeurism and any other conduct of a sexual nature that is non-consensual or has the purpose or effect of threatening, intimidating, undermining, humiliating or coercing a person.

A full definition of bullying is available in the ICGS [Sexual Misconduct Policy](#) or by speaking to the ICGS Helpline.

Statement of Complaint

The Statement of Complaint is written by the investigator, checked by the ICGS Liaison team and then signed by the complainant and is for the complainant only. It contains both the allegations that are being taken forward and any that are not being taken forward.

Summary Initial Assessment

The summary initial assessment is for the respondent only and outlines the allegations that are being taken forward

against them. It also discusses the possibility of informal resolution. This is what the DMB uses to inform the respondent of the complaint

Victimisation

When the person making a complaint, a witness, or someone supporting either the complainant or any witnesses, is treated unfavourably by the respondent as a result of their involvement. If victimisation is uncovered during the course of an investigation, it will be taken seriously and may be considered to be an aggravating factor if the case is upheld.

Vexatious complaint

A complaint brought without any proper basis. If an investigator concludes that the complaint is malicious, vexatious, or deliberately false, the DMB for the complainant may invoke its relevant policies and procedures against him or her.

Upheld

Once a complaint has been fully investigated, the independent investigator will produce a report outlining whether, on the balance of probabilities, the behaviour occurred, using the evidence, and considering the impact on the complainant.